

J1054 U.S. PTO
08/28/01

PATENT
ATTORNEY DOCKET NO.: 044574-5045-US

J1002 U.S. PTO
09/29/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION
UNDER 37 C.F.R. § 1.53(b)**

This is a request for filing a patent application under 37 C.F.R. § 1.53(b) for:

Inventor(s): Roland E. BARON, Natalie SIMS, Geogios SABATAKOS, Eric NESTLER,
Jingshan CHEN and Max KELZ

For: METHODS OF USING AGENTS THAT MODULATE BONE FORMATION AND
INHIBIT ADIPOGENESIS

1. This is a new Utility Design Plant patent application.

2. The papers enclosed to obtain a filing date are as follows:

61 Pages of Specification including
 0 Title Page
 4 Pages of Claims
 1 Page(s) of Abstract
5 Sheets of drawings

3. Combined Declaration and Power of Attorney

Enclosed and is executed by all inventors.

Not Enclosed.

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).

Applicant(s) await notification from the Patent and Trademark Office of the time
set for filing the Declaration and paying the filing fees.

4. Language

English

Non-English

This application is being filed in accordance with 37 C.F.R. § 1.52(d) and § 608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy(ies): is/are attached. will follow.

7. Priority based on provisional application(s) - 35 U.S.C. § 119(e)

Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/228,450	August 29, 2000

A. Relate Back - 35 U.S.C. § 119(e)

[] Amend the specification by inserting before the first line the sentence:
"This application claims priority of copending provisional application(s)
No. _____ filed on _____."

8. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee
				Utility \$710.00 Design \$320.00
Total Claims (37 C.F.R. § 1.16(c))	- 20 =		\$ 18.00 each=	+
Independent Claims (37 C.F.R. § 1.16(b))	- 3 =		\$ 80.00 each=	+
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$270.00	+
SUB-TOTAL =				
Reduction by 1/2 for filing by a small entity				- \$
TOTAL FILING FEE =				\$

9. Fee Payment

Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. § 1.53(f).
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

[] Enclosed.

A check(s) in the amount of \$_____ representing the filing fee of _____ and an assignment recording fee of \$40.00 is enclosed.

10. [X] **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

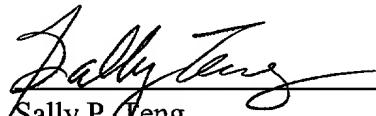
11. Additional papers enclosed:

- [] Preliminary Amendment
- [] Information Disclosure Statement
- [] Form PTO-1449, _____ references included
- [] Declaration of Biological Deposit
- [] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Sally P. Teng
Reg. No. 45,397

Dated: August 28, 2001

Customer No. 009629

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